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Before the U.S. House of Representatives Committee on Small Business, Subcommittee on Rural Enterprise, Agriculture and Technology
The Missouri River and its Spring Rise: Science or Science Fiction?

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Good morning Mr. Chairman. My name is Mike Wells; I am Deputy Director for the Missouri Department of Natural Resources and Chief of Water Resources for the State of Missouri. As Chief of Water Resources, I represent the state in all interstate water issues. Thank you Congressman Graves for inviting me to give testimony on this important issue.

Let me begin by saying that the State of Missouri is truly concerned about protecting endangered species and natural habitat along our rivers. In fact, we have been strong advocates of the research efforts being conducted to learn more about the life requirements of the pallid sturgeon. However, we are extremely disappointed to see the federal government move forward with a manmade spring rise on the Missouri River that intentionally increases the risk of flooding.

The federal government has characterized the spring rise as an experiment to learn more about the pallid sturgeon. It is disheartening to know that the welfare of our citizens is being threatened by an experiment. Especially, when federal scientists have publicly acknowledged that very little is known about the ecological needs of the pallid sturgeon and the basic research questions that they hope will be answered by the spring rise experiment have yet to be studied under existing conditions. It is apparent from the limited research that has been conducted to date that there is a lack of scientific evidence to justify a manmade spring rise.

In the U.S. Fish and Wildlife Service's (Service) 2003 Amended Biological Opinion, the Service indicated that a "spring rise" was needed as a spawning cue to ensure the continued survival of the pallid sturgeon. Yet, in all but less than 100 miles of river immediately below Gavins Point Dam, the Missouri River already experiences natural spring rises. As an example, in 2005 there were at least five natural rises between March and June on the lower Missouri River near Boonville, Missouri that exceeded the manmade rises mandated in the Service's Biological Opinion. The more than 800 miles of free flowing river below Gavins Point Dam

should provide researchers with ample opportunities to conduct experiments on flow changes without putting downstream farmers and riverside communities at an increased risk of being flooded.

The Missouri River's floodplain encompasses approximately one million acres in Missouri, much of which is prime farmland. With spring being the time of year when Missouri floodplain farmers are already at the greatest risk of being flooded, artificially adding even more water to the river in the spring only intensifies the flooding risk.

Regardless of the precautions that the U.S. Army Corps of Engineers takes to minimize the risk of downstream flooding that would result from a manmade spring rise, they cannot ensure that the added water will not cause flooding. Water released from Gavins Point Dam takes five days to reach Kansas City, and approximately 10 days to travel to the Missouri River's confluence with the Mississippi River at St. Louis. Once water is released from Gavins Point Dam, it cannot be retrieved. Given that local rainfall events can cause the Missouri River to rise by more than 10 feet in less than 24 hours, a planned spring rise experiment that would increase river levels from one to three feet would increase interior drainage and flooding problems for farmers and riverside communities.

Last spring we had a perfect example of how quickly water levels can change on the lower Missouri River. During the week preceding May 12, 2005, the level of the Missouri River at St. Joseph, Missouri was considered low, with stage readings of around eight feet. With these low river levels, it would have appeared that conditions were right for the Corps to implement a manmade spring rise without causing flooding. However, from noon on May 12 until mid-day on May 13, the Missouri River at St. Joseph rose over 10 feet to a stage reading of 18 feet. This level is one foot above flood stage. Local drainage districts begin to have problems with interior drainage when river stages at St. Joseph reach 12 feet. With water released from Gavins Point Dam taking about four days to reach St. Joseph, it is easy to see that had the Corps implemented the manmade spring rise in mid-May of last year, the additional water would have increased the level of flooding and compounded interior drainage problems in Missouri.

The federal government should not be conducting experiments that threaten people's livelihoods, especially when more reasonable courses of action are available. The range of the pallid sturgeon includes over 1,600 miles on the lower Missouri and Mississippi Rivers as well as a significant reach of the Yellowstone River in Montana, all of which have natural spring rises. By focusing research and

recovery efforts on these reaches, the Service and Corps could take advantage of reaches of the rivers that have more natural hydrographs. This would avoid the contentious issues related to flow while providing ample opportunities to study the pallid sturgeon. The prescriptive and inflexible manner in which the Endangered Species Act is being applied in the management of the Missouri River is threatening many of the cooperative efforts being pursued with private landowners to recover the pallid sturgeon. Federal agencies should be working to find common sense ways to protect the species without harming citizens who live and farm along the Missouri River.

Thank you for the opportunity to testify before this committee. At this time I would be glad to answer any questions.